

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-113 are presently active in this case. Claims 2, 7, 12, 26-27, 43, 44, 48, 49, 53, 54, 59, 60, 65, 67, 70, and 72 are amended by the present amendment. Support for the amendment can be found at least at Figs. 10 through 18. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 1, 9-11, 14-25, 30-42, and 75-113 were allowed. Applicants gratefully acknowledge the Examiner's indication of allowed claims.

In the outstanding Office Action, the Title was objected to as not being descriptive. Further, the Abstract was objected to because it failed to clearly set forth that the Applicants' contribution to the art to which the invention pertains is a method. As the Title and Abstract are amended to address these objections, Applicants respectfully request withdrawal of the objections to the Title and Abstract.

Claims 2-8, 12-13, and 26-29 were objected to because they were noted as failing to particularly point out and distinctly claim the invention. These claims were further indicated as allowable if this objection thereto, noted supra, were obviated. Claims 2, 7, 12, 26, and 27 are amended herein to address the concerns noted in the Office Action.

Accordingly, Applicants respectfully request withdrawal of the objection to Claims 2-8, 12-13, and 26-29.

Claims 44-47, 49-52, 54-58, 60-64, 67-69, and 72-74 were objected to as dependent upon a rejected base claim, but were indicated as allowable. Applicants acknowledge with appreciation the Examiner's indication of allowable subject matter in these claims.

In light of the Examiner's indication regarding Claims 44-47, 49-52, 54-58, 60-64, 67-69, and 72-74, amended Claims 44, 49, 54, 60, 67, and 72 are rewritten in independent

form to incorporate limitations of their respective base claims. Accordingly, these claims and claims dependent therefrom are considered allowable.

The Office Action rejects Claims 43 and 48 under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto, et al. (U.S. Patent No. 5,923,930, herein "Tsukamoto") or Iino (U.S. Patent No. 5,826,148) in view of Ishizuka et al. (JP 01-38773, herein Ishizuka). Claims 53 and 59 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto or Iino in view of Kimura (JP 56-83755). Claims 65-66, and 70-71 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto or Iino in view of Huntsiger (U.S. Patent No. 3,392,708).

Addressing now the rejection Claims 43 and 48 under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto or Iino in view of Ishizuka, that rejection is respectfully traversed.

Amended Claim 43 is directed to a method including causing developing liquid to swirl using *means for agitating*, the means for agitating including *means for exerting a first agitating force and means for exerting a second agitating force*. Further, the first agitating force includes a magnitude greater than the second agitating force. Claim 48 is amended to incorporate substantially similar limitations.

In a non-limiting exemplary embodiment, Fig. 10 illustrates a liquid adjusting section 103 including a shaft 138 with a paddle made of flexible material 116 and a paddle 117 made of non-flexible material affixed thereto. Further, in this embodiment, the non-flexible paddle 117 exerts a greater agitating force than the flexible paddle 116 and therefore reduces the viscosity of the liquid 17 at its level earlier than the flexible paddle 116. Thus, the paddles 116, 117 work together to agitate the liquid.¹

In particular, Tsukamoto describes a density regulating apparatus including a

¹ See Specification at page 41, line 18 through page 42, line 11.

developing liquid tank 21 with a churning device 72 for churning the developing liquid. However, it is respectfully submitted that Tsukamoto is silent with regard to the churning device 72 including *means for exerting a first agitating force and means for exerting a second agitating force* where the *first agitating force includes a magnitude greater than the second agitating force*. Additionally, Iino describes a liquid developer transfer device including a developer storage tank 23. Thus, it is respectfully submitted that Iino does not teach or suggest any means for agitating the liquid developer in the storage tank 23.

In light of the noted deficiencies of Tsukamoto and Iino with respect to the original claims, the Office Action relies upon Ishizuka to teach a blade 55 and agitator 58 in a developer tank 5F.² Ishizuka describes that the blade 55 rotates to pulverize toner particles so they may pass through a mesh 57, and the agitator 58 stirs the developer (see Abstract, Fig. 2). However, it is respectfully submitted that the blade 55 and the agitator 58 are not taught to exert forces of differing magnitude. Therefore, the combination of Tsukamoto or Iino with Ishizuka does not teach or suggest all limitations of either amended Claim 43 or 48.

Accordingly, it is respectfully requested this rejection be withdrawn.

Addressing now the rejection Claims 53 and 59 under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto or Iino in view of Kimura, that rejection is respectfully traversed.

Amended Claim 53 is directed to a method including including causing developing liquid to swirl using *means for agitating*, the means for agitating including means for exerting a first agitating force and *flexible* means for exerting a second agitating force. Claim 59 is amended to incorporate substantially similar limitations as Claim 53.

For at least reasons similar to those described above with regard to Tsukamoto, Iino,

² See Office Action at page 5.

and Ishizuka, Claims 53 and 59 as amended are considered allowable over Tsukamoto or Iino in view of Kimura. In particular, Kimura appears to describe a device rotating about an axis 11 including flexible spokes 12a, 12b, 12c for directing movement of liquid in a storage tank and contacting a side of the storage tank (see Figs. 1 and 3). However, Applicants respectfully submit that the flexible spokes are not taught to exert different agitation forces, as provided in Claims 53 and 59.

Accordingly, it is respectfully requested this rejection be withdrawn.

Addressing now the rejection Claims 65-66, and 70-71 under 35 U.S.C. § 103(a) as unpatentable over Tsukamoto or Iino in view of Hunstiger, that rejection is respectfully traversed.

Amended Claim 65 is directed to a method including causing developing liquid to swirl including means for agitating the developing liquid, where the means for agitating includes means for exerting a first agitating force and *flexible* means for exerting a second agitating force. Claim 70 is amended to incorporate substantially similar limitations as amended Claim 65.

Hunstiger describes a roll-type electrostatic liquid developer including impellers 52 to mix incoming thinner with toner concentrate and to direct the mixture peripherally by flow through end spaces 16, 17 (see Col. 4, lines 7-12 and Figs. 1 and 2). Although Hunstiger describes impeller 52 dimensions (see Col. 4, lines 24-25), the reference does not teach that one impeller 52 exerts a different amount of force than another. Therefore, Applicants' respectfully submit that the combination of Tsukamoto or Iino with Hunstiger does not teach or suggest all limitations in amended Claims 65 or 70.

Accordingly, it is respectfully requested this rejection be withdrawn.

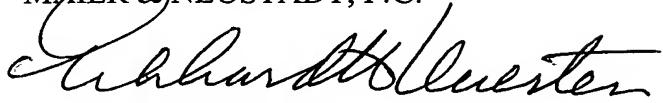
Consequently, in view of the above discussion, it is respectfully submitted that the

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present application is in condition for formal allowance, and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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